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DEC 15 2008

In re Application of :
Meyer et al. :
Application No. 09/633087 :
Filing or 371(c) Date: 08/04/2000 :
Attorney Docket Number: :
(TT3327) : **ON PETITION**

This is a decision on the "Second Request for Reconsideration of Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action," filed December 10, 2008. The petition is properly treated under 37 CFR 1.181(a).

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the final Office action, mailed June 18, 2007. The Office action set a three (3) month period for reply. No response having been received, the application became abandoned on September 19, 2007. The mailing of this Decision precedes the mailing of a Notice of Abandonment was mailed December 31, 2007.

With the present petition, Applicant has demonstrated non-receipt of the Office action by a preponderance of the evidence in accordance with the MPEP 711.03(c)¹.

In view of the foregoing, the petition is **granted**. The holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

The correspondence address has been updated in accordance with the Notice of Change of Address filed on October 8, 2003.

¹ A review of Office records reveals that Applicant filed a Notice of Change of Address on October 8, 2003, changing the correspondence address; however, the correspondence address was inadvertently not changed. As such, subsequent correspondence was mailed to the prior (incorrect) correspondence address.

The application will be referred to Technology Center Art Unit 2157 for re-mailing of the Office action and re-setting the period for reply.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

/Derek L. Woods/
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